

At the Regular Meeting of the Greenville County Board of Supervisors, held on Tuesday, February 22, 2011, with Closed Session beginning at 4:00 P.M., Pictures being taken at 4:30 P.M. and Regular Session beginning at 6:00 p.m., in the Board Room of the Greenville County Government Building, 1781 Greenville County Circle, Emporia, Virginia.

Present: Peggy R. Wiley, Chairman
 Michael W. Ferguson, Vice-Chairman
 James C. Vaughan
 Dr. Margaret T. Lee

The meeting was called to order by Chairman Wiley at 4:00 p.m.

In Re: Closed Session

Mr. Whittington, County Administrator, stated that Staff recommended the Board go into Closed Session, Section 2.2-3711 (a) 1) Personnel, 5) Industrial Development and 7) Legal Matters

Supervisor Vaughan moved, seconded by Supervisor Ferguson, to go into Closed Session, as recommended by Staff. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

In Re: Regular Session

Supervisor Lee moved, seconded by Supervisor Vaughan, to go into Regular Session. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

In Re: Certification of Closed Meeting – Resolution #11-98

Supervisor Ferguson moved, seconded by Supervisor Vaughan, to adopt the following Resolution. A roll call vote was taken, as follows: Supervisor Ferguson, aye; Supervisor Lee, aye; Supervisor Vaughan, aye; and Chairman Wiley, aye.

**RESOLUTION #11-98
CERTIFICATION OF CLOSED MEETING**

WHEREAS, the Greenville County Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provision of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the Greenville County Board of Supervisors that such closed meeting was conducted in conformity with Virginia law:

NOW, THEREFORE, BE IT RESOLVED that the Greenville County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Greenville County Board of Supervisors.

Chairman Wiley recessed the meeting.

Chairman Wiley reconvened the meeting at 6:00 p.m., at which time she led the Pledge of Allegiance and gave the Invocation.

In Re: Approval of Agenda

Mr. Whittington, County Administrator, stated that Staff recommended approval of the Agenda with one added item. In Other Matters, Item D – Bio-Free.

Supervisor Ferguson moved, seconded by Supervisor Lee, to approve the Agenda as amended. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

In Re: Approval of Consent Agenda

Mr. Whittington stated that Staff recommended approval of the Consent Agenda.

Supervisor Ferguson moved, seconded by Supervisor Lee, to approve the Consent Agenda containing the following items. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

Minutes from the Meeting of February 7, 2011.

Budgetary Matters

Budgetary Matters consisting of the following: Fund #001 – Journal Voucher #57, in the amount of \$11,799.75 and Journal Voucher #58, in the amount of \$306.84; Fund #012 - Budget Amendment Resolution #11-99, in the amount of \$768.29; Fund #013 – Budget Amendment Resolution #11-100, in the amount of \$149.00 and Fund #018 – Budget Amendment Resolution #11-101, in the amount of \$855.00, all of which are incorporated herein by reference.

Warrants:

Approval of Accounts Payable for February 22, 2011, in the amount of \$255,408.79

In Re: Mr. Matt McLearen with Robinson, Farmer, Cox Associates

Mr. McLearen addressed the Board of Supervisors and presented the FY2010 Financial Report. He stated that the FY2010 Financial Report had an unqualified and clean opinion. He then reviewed portions of the budget consisting of the fund balance, the capital projects and expenditures.

In Re: Citizens Comments

Mr. Whittington invited anyone present who wished to address the Supervisors, to come forward and state their name for the record. There was no one.

In Re: Employee Health Insurance for FY2011-2012

Mrs. Alice Whitby addressed the Board of Supervisors stating that the Local Choice Health Benefits Program had submitted its proposed rates for health insurance coverage for the employees for FY2011-2012. She stated that there was an overall increase for the new plan year in the amount of 7.8%. Mrs. Whitby stated that Staff recommended the County offer two plans to the employees, Key Advantage 500 and Key

Advantage Expanded. She also requested that the County pay \$471.00 per month/per employee for both plans.

Supervisor Ferguson moved, seconded by Supervisor Vaughan, to accept Staff's recommendation. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

In Re: Solid Waste Collection Sites Reimbursement Resolution #11-102

Mr. Whittington addressed the Board of Supervisors stating that it was a resolution that was prepared by the County's Bond Attorney. He stated that Staff had finished putting the last touches towards a new Solid Waste Collection Program for the County and that Staff anticipated that within the next meeting or two, Staff would present the program to the Board of Supervisors. Mr. Whittington stated that at that time, Staff would need the Board's opinion as to how Staff would proceed should it look favorable towards implementing the new Solid Waste Collection Program. He also stated that Staff would have to borrow money for equipment and site improvements. Mr. Whittington further stated that it was always advisable to get the reimbursement Resolutions passed early in a potential project's life so that there would be no issues with the County reimbursing itself for any expenditure that it would make with local dollars and then replacing the dollars with loan money. He requested approval of the following Resolution.

RESOLUTION #11-102
RESOLUTION OF THE BOARD OF SUPERVISORS OF THE
COUNTY OF GREENSVILLE, VIRGINIA DECLARING INTENT
TO REIMBURSE PROJECT EXPENDITURES WITH PROCEEDS
OF REVENUE BONDS

WHEREAS, the County of Greenville, Virginia (the "County") has included in its capital improvement program the undertaking, acquisition, construction, renovation and improvement of various facilities in the County for the collection, management, disposal, incineration, storage or recycling of solid waste (the "Project");

WHEREAS, the County intends to issue, or provide for the issuance through the Industrial Development Authority of Greenville County, Virginia of, one or more series of revenue bonds in an aggregate principal amount not to exceed \$1,750,000 (the "Bonds") to finance all or a portion of the cost of the Project;

WHEREAS, the Internal Revenue Code of 1986, as amended, and Treasury Regulations Section 1.150-2 thereunder, provide that proceeds of tax-exempt obligations may be used to reimburse a previously paid expenditure provided that certain criteria are met; and

WHEREAS, the County has paid and intends to pay certain expenditures with respect to the Project prior to the issuance of Bonds to finance the Project and to receive reimbursement for such expenditures from proceeds of the Bonds;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF GREENSVILLE, VIRGINIA AS FOLLOWS:

1. The County intends to issue or to cause the issuance of Bonds to pay all or part of the costs of the Project, together with other available funds.

2. The County intends to receive reimbursement from proceeds of the Bonds, when issued, for expenditures made not more than 60 days prior to the date of this Resolution related to the Project that are paid prior to such issuance.

3. Each expenditure reimbursed with proceeds of the Bonds will be, unless otherwise approved by the County's bond counsel, either (a) of a type properly chargeable to a capital account under general federal income tax principles (determined in each case as of the date of the expenditure), (b) a cost of issuance with respect to the Bonds, (c) a nonrecurring item that is not customarily payable from current revenues, or (d) a grant to a party that is not related to or an agent of the County so long as such grant does not impose any obligation or condition to repay any amount to or for the benefit of the County.

4. The County intends to make a reimbursement allocation, which is a written allocation that evidences the County's use of proceeds of the Bonds to reimburse an expenditure, no later than 18 months after the later of the date on which the expenditure is paid or the Project is placed in service or abandoned (but in no event more than three years after the date on which the expenditure is paid).

5. The County recognizes that exceptions are available under the applicable Treasury Regulations which also may permit reimbursement for certain (a) preliminary expenditures incurred prior to commencement of construction, (b) expenditures in an amount not in excess of the lesser of \$100,000 or five percent of the proceeds of the Bonds, and (c) expenditures for long-term construction projects of at least five years duration.

6. The County intends that adoption of this Resolution shall constitute "official intent" within the meaning of Treasury Regulations Section 1.150-2.

7. This Resolution shall be effective immediately.

Supervisor Ferguson moved, seconded by Supervisor Lee, to approve Resolution #11-102. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

In Re: Presentation of FY2011-2012

Mr. Whittington addressed the Board of Supervisors stating that the process would be similar to last year. He stated that this year's budget on making hard decisions would be worst because of issues outside of the Board's control. He further stated that besides the General Assembly, there were a couple of issues that would influence the budget this year. Mr. Whittington stated that it was now time to invite department heads and start setting schedules to meet with agencies and constitutional officers. He requested that the Board schedule a date to start the budget process.

There was a consensus to adjourn to March 7, 2011 at 1:00 p.m., before the Regular Board Meeting.

In Re: Bio-Free

Mr. Whittington stated that Bio-Free was an industry that came to Greenville County looking for a site and Staff had been working with the Industry for over three years. He stated that it was now a dead project. Mr. Whittington stated that at the assistance of the Tobacco Commission, the industry received a grant in the amount of \$500,000 and that the Board of Supervisors required a letter of credit as collateral. He stated that Staff and the County Attorney requested authorization to take necessary efforts to get the Tobacco Commission Funds out of the Letter of Credit.

Supervisor Ferguson moved, seconded by Supervisor Vaughan, the authorization to get funds out of the Letter of Credit. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

In Re: Adjournment

There being no further business, Supervisor Ferguson moved, seconded by Supervisor Vaughan, to adjourn the meeting until March 7, 2010 at 1:00 p.m. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

Peggy R. Wiley, Chairman

K. David Whittington, Clerk